

REMARKS

Applicants' representative Liza D. Hohenschutz would like to thank Examiner Christian Fronda for the very courteous and helpful telephone conference on October 25, 2006 relating to the claims of the present application. Examiner Fronda advised Ms. Hohenschutz that amending claims 14, 18 and 30 to recite SEQ ID NO: 1 as the nucleotide sequence encoding ilvD would overcome the enablement rejection in the Office Action mailed April 24, 2006. It was agreed that Applicants would file the claim amendments in a Request for Continued Examination.

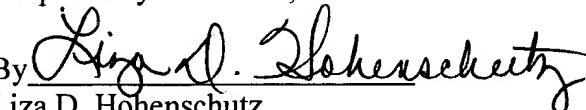
Claims 14, 18 and 30 have been amended to state that the nucleotide sequence encoding ilvD comprises the portion of SEQ ID NO: 1 encoding ilvD. Support for this amendment can be found throughout the specification and in particular at page 14, lines 11-14. Claim 19 has been canceled without prejudice.

Rejection of claims 14-26, 29-37 and 40 under 35 USC 112, first paragraph as not enabled was the only rejection applied to the claims in the Office Action mailed April 26, 2006. This rejection has been overcome, as discussed above, by amending claims 14, 18 and 30 to state that the nucleotide sequence encoding ilvD comprises the portion of SEQ ID NO: 1 encoding ilvD. Withdrawal of the rejection is respectfully requested.

In view of the above, the present application is believed to be in a condition for allowance. Reconsideration of the application is requested and an early Notice of Allowance is earnestly solicited.

Dated: October 26, 2006

Respectfully submitted,

By 
Liza D. Hohenschutz
Registration No.: 33,712
CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, Delaware 19899
Attorney for Applicant

(302) 658-9141
(302) 658-5614 (Fax)

LDH/ahl/495944